

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

John T. Dean,

Petitioner,

v.

Jeff Lisath, Warden,

Respondent.


**CASE NO. 2:15-cv-2885
Judge Michael H. Watson
Magistrate Judge Deavers**

ORDER

On May 13, 2016, the Magistrate Judge issued an Order and Report and Recommendation denying Petitioner's request for an evidentiary hearing and recommending that Respondent's Motion to Dismiss, ECF No. 7, be granted and that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed as barred by the one-year statute of limitations under 28 U.S.C. § 2244(d). ECF No. 9. Although the parties were advised of the right to object to the Magistrate Judge's Order and Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Court **ADOPTS** the Order and Report and Recommendation, ECF No. 9. In so doing, the Court **DENIES** Petitioner's request for an evidentiary hearing, **GRANTS** the Respondent's motion to dismiss, ECF No. 7, **DISMISSES** this action.

IT IS SO ORDERED.


**MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT**